

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

John H. Gambrell, # 200600933,

C.A. No. 2:06-2943-CMC-RSC

Plaintiff,

v.

**OPINION and ORDER**

Joey Preston, County Administrator,  
Arlette Jones, Sargent ACDC,  
Dr. Hellams, Doctor ACDC, and  
Nurse Donald Hampton, Head Nurse  
ACDC,

Defendants.

This matter is before the court on Plaintiff's *pro se* complaint seeking relief pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment. Plaintiff responded to the motion on March 2, 2007.

In accordance with the court's order of reference, 28 U.S.C. § 636(b), and Local Rule 73.02 (B)(2)(b) and (e), DSC, this matter was referred to United States Magistrate Judge Robert S .Carr for pre-trial proceedings and a Report and Recommendation. On July 16, 2007, the Magistrate Judge issued a Report recommending Defendants' Motion for Summary Judgment be granted. The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and Recommendation and the serious consequences if they failed to do so. Plaintiff filed a letter on August 3, 2007. The court deems this letter to constitute an objection to the Report and also deems the objections to be timely.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo*

determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

After reviewing the record of this matter, the applicable law, the Report and Recommendation of the Magistrate Judge, and Plaintiff's Objections, the court adopts the Magistrate Judge's Report and Recommendation that Defendants' motion for summary judgment be granted and does so for the reasons stated therein. As to Plaintiff's objections, the court notes that they consist of general statements of Plaintiff's dissatisfaction with the level of medical care he received, most particularly as to the attitude of the medical professionals. He also complains generally regarding the cleanliness of the facilities and suggests that he received a staff infection as a result of the use of recycled, though sterilized razors.

Plaintiff does not, however, point to any specific facts or supporting evidence which would indicate error in the Magistrate Judge's statement of the facts. Neither does Plaintiff point to any specific errors in the Magistrate Judge's legal analysis and ultimate recommendation.

The court, therefore, grants Defendants' motion for summary judgment for the reasons set forth in the Report and Recommendation.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
August 9, 2007